



Attorney's Docket No. 42253/234155

~~SECRET~~  
PATENT #3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re  
App No.:

Bhagavath, et al.

09/849,551

Confirmation No.: 1142

Filed:

May 4, 2001

For:

NETWORK USAGE MONITORING DEVICE AND ASSOCIATED METHOD

August 29, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

**RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION**

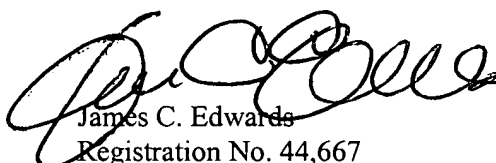
Sir:

In response to the Notice to File Missing Parts of Application dated July 2, 2001, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- ☐ Applicant claims small entity status
- ☒ Check in the amount of \$130.00 to cover the surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- ☒ Other: Assignment Cover Sheet, Newly Executed Assignment and \$40 recordation fee.

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

  
James C. Edwards  
Registration No. 44,667

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

**CERTIFICATE OF MAILING**

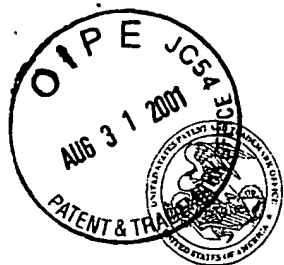
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on August 29, 2001.



Linda R. Louvier

CLT01/4494767v1



#3

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/849,551	05/04/2001	Vijay K. Bhagavath	42253/234155

CONFIRMATION NO. 1142

000826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

## FORMALITIES LETTER



\*OC000000006248436\*

Date Mailed: 07/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/04/2001 MAILED1 00000117 09849551

01 FC:105

130.00 OP